

# Child and Family Services Update

Monday, December 10, 2001

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## Proposed Child Welfare Bills

*By Richard Anderson*

The following is a summary of certain proposed bills pertaining to child welfare that have been drafted for the 2002 legislative session, as of November 28, 2001. These are draft bills, and we are only supporting the one entitled Child Placement Determinations, which the Department has proposed on the three changes to the statute for licenses for relatives, moving children in foster care for relative preference and ICWA, and compelling reasons for long-term foster care.

### **Child Placement Determinations**

This act amends the Human Services Code and the Judicial Code. The act changes the permanency plan regarding long-term foster care for any child. The act expands the grounds for removal of a foster child from the home of foster parents without first providing a hearing to the foster parents. The act modifies fingerprinting requirements for household members in a foster home. The act clarifies when a juvenile court may order long-term foster care as a permanent placement option for children in the custody of the Division.

### **Termination of Parental Rights Amendments**

This act modifies the Judicial Code. The act amends the grounds for termination of parental rights. Under the act, if a juvenile court orders that reunification services be provided, the court may later terminate all parental rights of a parent under certain grounds only if the parent has been unwilling or unable, within a reasonable period of time, to correct the circumstances, conduct, or conditions that led to placement of the parent's child outside of their home notwithstanding reasonable and appropriate efforts required of the Division.

### **DCFS Management Information System Amendments**

This act amends the Human Services Code. The act adds definitions of various terms used in the Management Information System and Licensing Information System provisions. The act reorganizes, clarifies, and amends statutes governing the Division's Management Information System. The act requires that a finding of substantiation be determined by a preponderance of evidence, by a committee of three Division employees. The act provides an opportunity to alleged perpetrators to challenge substantiation and inclusion in the Management Information System. The act prevents the inclusion of the name and other information regarding an alleged perpetrator in the Licensing Information System until after an administrative law judge has ruled that the Division's substantiation is justified, unless the alleged perpetrator consents or there has been a court adjudication of child abuse or neglect or a criminal conviction or guilty plea related to neglect, physical abuse, or sexual abuse. The act clarifies the right of judicial review of final agency action. The act clarifies and modifies the circumstances in which a court ruling would require removal of an alleged perpetrator's name from the Licensing Information System. The act makes technical changes.

### **Immunity from Liability in Child Welfare Investigations**

This act amends the Human Services Code. The act provides that there is no immunity to governmental employee child welfare workers who act or fail to act through fraud or malice, or who commit perjury.

### **Taking a Minor into Protective Custody Without Warrant**

This act amends the Human Services Code and the Judicial Code. The act provides that a state officer, peace officer, or child welfare worker may not remove a minor from the minor's home or school without a warrant or court order, unless a parent or guardian consents or there is probable cause to believe that any one or more of enumerated exigent circumstances exist. The act amends and clarifies the grounds for court-ordered removal of a minor from the minor's home or school, after the filing of a petition alleging abuse, neglect, or dependency. The act makes technical changes. The act provides an effective date.

## **Final Module of Practice Model Training**

*By Linda Winingar*

The final module of the Practice Model training is completed and being presented to the facilitators in a "training of trainers" this week (December 10-14, 2001). This training will encompass a number of important details that will tie the components of the Practice Model together. The module is entitled "Interventions" and is designed to teach how to locate and use community and agency resources to help a family achieve the goals made in the Child and Family Services Plan, which were identified at the Child and Family Team Meeting through the Functional Assessment. It is an extremely important step in the Practice Model.

The training is being held at Snowbird Ski Resort to enable the Division to recoup the loss of money sustained when the Accreditation Roundtable scheduled with the Council on Accreditation (COA) was canceled in October 2001. Snowbird Ski Resort was kind enough to allow the Division to apply the entire penalty for cancellation to the cost of the training conference. We were also fortunate to receive both lodging and food at the per diem state rate.

Since the training group is a captive audience of the week, a number of additional meetings are planned for the evening hours, including a celebration and thanks to Linda Bayless and Cornelius Bird from the Child Welfare Policy and Practice Group in Alabama for their work and guidance on this project. We trust this will be an exciting and productive week.

## **Protective Services Counseling Case Reviews**

*By the Office of Services Review*

The Office of Services Review studied the 13 Protective Services Counseling (PSC) cases that were part of last year's Qualitative Case Review process. This study indicates that using the team early in the process to engage the family and provide more intense services could lead to better outcomes for families receiving PSC services.

The four cases passing both the system performance and the child status areas provide examples of good teaming. One case was initially receiving Protective Services Supervision (PSS) but then stepped down to the PSC as more of the team members got more meaningfully involved. Some team members had both formal and informal roles on the team. In one of the cases the family team met in the family home for the development of the first child and family service plan. In another case the adoption worker was attempting to make life books for two children who had been adopted. She contacted their biological mother for information. The mother disclosed she was pregnant and wanted help so she would not have this child taken from her. The worker opened a PSC case immediately and began providing appropriate services.

These illustrations show how the involvement of the family early in the process and also establishing and working with a team can help the family to experience better outcomes while involved in PSC services.

## Southwest Region's Qualitative Case Review

*By Linda Wininger*

I thought I might give you my notes from the Southwest Region Qualitative Case (QCR) Review exit conference. I think you will find that the areas for improvement include clarification on HOW to incorporate the skills learned in Practice Model training so that you are doing better work (and getting higher scores on the QCR!).

To begin, Southwest Region did an excellent job. There was overall general improvement that came very close to the exit mark. Supervisors were much more involved with the work and with the reviews themselves. Reviewers saw people using each component of the Practice Model on their cases. The region is also developing tools to help implement the Practice Model as evidenced by the files and cases reviewed. In interviews of stakeholders in the region, comments were heard regarding the improvement of practice seen over the last year. The next step, and perhaps the final one, is for the region to take the individual components of the Practice Model, tie them together, and use them to help families. The following are some specifics.

### **Teaming/Child and Family Teams**

Workers are using the terminology. Team meetings are being held in all areas. Partners are thrilled to be a part of it. Schools and Mental Health are members in the team and willing to sometimes facilitate the meetings.

Ways to improve:

- Include partners such as the nurse, adoption specialists, and the family's informal network.
- Make meetings more family driven--validate and empower the family by defining everyone's role and allowing everyone to contribute.
- Include all relevant family members.
- Allow the family to help decide the purpose and the membership of the teams and meetings.
- Voluntary in-home cases benefit as much from team meetings as court ordered cases. When a caseworker offers voluntary services, a working agreement can be made in which the worker explains the Child and Family Team meeting process

and the results that can be achieved. If the family does not want to participate in this type of process, use the working agreement to decide how the case will be handled. The worker can then decide whether or not there are sufficient protection issues to request court ordered services.

- After the Child and Family Team meeting it is important to take the steps necessary to ensure implementation and accountability for the decisions made in the meeting. Be sure each person knows what his or her assignment or responsibility is and when it should be accomplished.
- Include the family's story and their strengths in the team meeting. Don't forget resources. Talk about items that address information needed for the Functional Assessment, the long-term view, and the service plan.

There were several workers who were recognized for excellence in their work.

### **Functional Assessments**

Everyone seems to be thinking about Functional Assessments and starting to put them together. Some excellent examples were seen. There is still a need to develop a format for these assessments.

Here are a few areas to make improvements in:

- Dates need to be incorporated into the Functional Assessment.
- Child and Family Teams need to drive the analysis in the assessment.
- Assessments are a process. Ongoing updates need to happen.
- An analysis of the underlying issues is needed when doing the assessment.

### **Long-Term View**

The reviewers saw some examples of using the Functional Assessment to develop the Long-Term View. There were also some caseworkers who did a good job with the development and use of the concurrent goal. In addition, there were cases where having a Long-Term View contributed to making timely decisions regarding the closure of the case.

Areas to improve:

- Long-Term View needs to be developed early in the case.
- Long-Term View needs to be used to plan for a child's exit of the system when they age out. The system appears to be struggling with these Independent Living children and the Long-Term View for them.

There were also some systems issues that were identified. They included:

- Finding a way to bring some of the partners in as real partners.
- Thinking outside the box.
- Requiring more accountability from Mental Health.
- Validating workers.
- Resolving confidentiality issues.
- Looking at what we can do for other agencies as partners.
- Solidifying foster parent and biological parent resources.